

CERTIFICATION OF ENROLLMENT
SUBSTITUTE HOUSE BILL 1433

55th Legislature
1997 Regular Session

Passed by the House April 19, 1997
Yeas 90 Nays 1

**Speaker of the
House of Representatives**

Passed by the Senate April 7, 1997
Yeas 44 Nays 3

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1433** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1433

AS AMENDED BY THE SENATE

Passed Legislature - 1997 Regular Session

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Capital Budget (originally sponsored by Representatives Sump, McMorris, Ballasiotes, DeBolt, Sheahan, Talcott, Quall, D. Sommers, Honeyford, Chandler, Schoesler, Crouse, Mastin and Mielke)

Read first time 02/25/97.

1 AN ACT Relating to leases with consortiums of counties formed to
2 acquire correctional facilities; amending RCW 43.17.360; and declaring
3 an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.17.360 and 1996 c 261 s 2 are each amended to read
6 as follows:

7 (1) The department of social and health services and other state
8 agencies may lease real property and improvements thereon to a
9 consortium of three or more counties in order for the counties to
10 construct or otherwise acquire correctional facilities for juveniles or
11 adults.

12 (2) A lease governed by subsection (1) of this section shall not
13 charge more than one dollar per year for the land value and facilities
14 value, during the initial term of the lease, but the lease may include
15 provisions for payment of any reasonable operation and maintenance
16 expenses incurred by the state.

17 The initial term of a lease governed by subsection (1) of this
18 section shall not exceed twenty years, except as provided in subsection
19 (4) of this section. A lease renewed under subsection (1) of this

1 section after the initial term shall charge the fair rental value for
2 the land and (~~facilities, and may~~) improvements other than those
3 improvements paid for by a contracting consortium. The renewed lease
4 may also include provisions for payment of any reasonable operation and
5 maintenance expenses incurred by the state. For the purposes of this
6 subsection, fair rental value shall be determined by the commissioner
7 of public lands in consultation with the department and shall not
8 include the value of any improvements paid for by a contracting
9 consortium.

10 (3) The net proceeds generated from any lease entered or renewed
11 under subsection (1) of this section involving land and facilities on
12 the grounds of eastern state hospital shall be used solely for the
13 benefit of eastern state hospital programs for the long-term care needs
14 of patients with mental disorders. These proceeds shall not supplant
15 or replace funding from traditional sources for the normal operations
16 and maintenance or capital budget projects. It is the intent of this
17 subsection to ensure that eastern state hospital receives the full
18 benefit intended by this section, and that such effect will not be
19 diminished by budget adjustments inconsistent with this intent.

20 (4) The initial term of a lease under subsection (1) of this
21 section entered into after January 1, 1996, and involving the grounds
22 of Eastern State hospital, shall not exceed fifty years. This
23 subsection applies retroactively, and the department shall modify any
24 existing leases to comply with the terms of this subsection. No other
25 terms of a lease modified by this subsection may be modified unless
26 both parties agree.

27 NEW SECTION. **Sec. 2.** If any provision of this act or its
28 application to any person or circumstance is held invalid, the
29 remainder of the act or the application of the provision to other
30 persons or circumstances is not affected.

31 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the
33 state government and its existing public institutions, and takes effect
34 immediately.

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